

**MINUTES of the meeting of Planning Committee held at
The Council Chamber, Brockington, 35 Hafod Road,
Hereford on Friday, 26 September 2008 at 10.00 a.m.**

Present: Councillor TW Hunt (Chairman)
Councillor RV Stockton (Vice Chairman)

Councillors: ACR Chappell, PGH Cutter, GFM Dawe, PJ Edwards,
KS Guthrie, JW Hope MBE, B Hunt, R Mills, JE Pemberton, AP Taylor,
DC Taylor, WJ Walling and PJ Watts

In attendance: Councillors WLS Bowen and RC Hunt

40. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Davies, DW Greenow, G Lucas, RI Matthews and PM Morgan.

41. NAMED SUBSTITUTES (IF ANY)

The following named substitutes were appointed:-

Councillor PJ Edwards for Councillor RI Matthews.
Councillor R Mills for Councillor G Lucas.

42. DECLARATIONS OF INTEREST

The following interests were declared

Councillor	Item	Interest
PJ Edwards	Agenda item No. 9, Minute No. 48 (Model Farm Supplementary Planning Document)	Personal
PGH Cutter	Item 12, Minute No 51 - DCSE2008/1827/CD - new school hall in school grounds, St Josephs RC. Primary School, The Avenue, Ross-On-Wye, Herefordshire, HR9 5AW	Personal
Councillor GFM Dawe	Agenda item No. 11, Minute No. 50 DCNC2008/1934/CD - proposed redevelopment of The Minster College. Minster College, South Street, Leominster, Herefordshire, HR6 8JJ	Personal

43. MINUTES

RESOLVED: That the Minutes of the meeting held on 15th August, 2008 be approved as a correct record and signed by the Chairman, subject to the inclusion of the name of Councillor RI Matthews in the list of apologies and also that Councillor PJ Edwards was appointed as named substitute for him at the meeting.

44. CHAIRMAN'S ANNOUNCEMENTS**REEVES HILL WIND TURBINE**

The planning application for the erection of 4 wind turbines at Reeves Hill in the northwest of the County was likely to be submitted to the meeting of the Committee in November. It was agreed that the site visit should be undertaken on 24 October 2008.

VISIT TO WYCHAVON DISTRICT COUNCIL

On 11 September the Planning Chairman's Group visited Wychavon District Council as part of its study into how other Planning Authorities deal with planning applications. The Council has a single Planning Committee and the Group observed the practical issues involved and how the process relates to Wychavon's Scheme of Delegation to Officers.

45. NORTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 27th August 2008 be received and noted.

46. CENTRAL AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meeting held on 3rd September 2008 be received and noted.

47. SOUTHERN AREA PLANNING SUB-COMMITTEE

RESOLVED: That the report of the meetings held on 20th August 17th September 2008 be received and noted.

48. MODEL FARM SUPPLEMENTARY PLANNING DOCUMENT

A report was presented the Team Leader Local Planning about comments received on the Draft Model Farm Supplementary Planning Document (SPD) which went out to consultation in June. He said that the document was included within the Council's Local Development Scheme (January 2008) and was produced in line with the regulations of the new planning system introduced under the Planning and Compulsory Purchase Act 2004. He advised that the site of some 15 hectares had been identified in the Herefordshire Unitary Development Plan (UDP) under policy E3 as an allocated employment site. The SPD had been prepared by consultants on behalf of Ross Area Partnership and Herefordshire Council. It had been produced to expand upon and provide additional information and guidance in support of policies contained within the UDP. Its main aims were to:

- provide guidance on the existing planning policy framework which would influence the delivery of any future planning application;
- identify the development requirements and constraints of the site;

- provide guidance on the delivery of high quality design and landscaping principles for the site;
- provide guidance on the delivery of access and movement to, from and within the site; and
- ensure that the development can become fully integrated with the surrounding area.

The Team Leader Local Planning explained the innovative nature of the scheme which was aimed at diversification and growth of a rural economy. He said that it was aimed at providing the type of employment suited to the locality and making the best use of the land to achieve a balanced live/work concept. The Head of Planning and Transportation said that the document was a first class piece of work for the development of a key area of land within the County, carried out in collaboration with key stake holders. He also said that there would be high expectations of the quality of the ensuing scheme.

Councillor ACR Chappell congratulated the officers on the quality of the proposals and recognised the hard work and also the difficulties that had to be overcome to lead to the scheme coming to fruition. Councillor GFM Dawe asked about the views of the public on the green issues. The Team Leader, Local Planning said that there was a carefully designed buffer zone between the site and the town which would help to provide an attractive landscaped approach to it, including pathways and cycle ways. The use of the site would be light industrial which would be of more benefit to the local community and the environment. Councillor PJ Edwards hoped that there would be a speed limit as appropriate on the approach roads to the site but welcomed the pedestrian and cycle links together with the safe crossing proposals for the A40. Councillor PGH Cutter welcomed the scheme and felt that there had been a good consultation outcome with the proposals having met with the approval of the majority of local people.

The committee has expressed its appreciation for the hard work undertaken by the Officers and approved the proposed amendments set out within the report of the Planning Policy Manager.

RESOLVED THAT

It be recommended to the Cabinet Member (Environment and Strategic Housing) that the changes to the draft Model Farm Supplementary Planning Document, as identified in the report of the Planning Policy Manager, be approved and that the document be adopted as part of the Councils Local Development Framework.

Councilor GFM Dawe voted against

49. DCNC2008/1824/O - SITE FOR DEVELOPMENT TO FORM 21 APARTMENTS AT PINSLEY WORKS, PINSLEY ROAD, LEOMINSTER, HEREFORDSHIRE, HR6 8NX

The Central Team Leader presented a report of the Head of Planning and Transportation. He said that at its meeting on 27 August 2008, the Northern Area Planning Sub Committee was mindful to refuse the application contrary to Council policy and officer advice. He reported the receipt of a letter from the applicant's agent, stating that the previous planning permission for four dwellings could not be implemented as approved due to the proximity of a sewer which has a no-

development zone around it. He suggested the inclusion of an additional condition if permission was granted, to deal with surface water drainage issues In order to minimise any flood risk to third parties.

In accordance with the criteria for public speaking, Mr Tomkins, the applicant spoke in favour of the application.

Councillor RC Hunt, the local ward member said that he was totally opposed to the scheme which he felt was out of keeping with the surroundings, would dominate the area and was in conflict with the Conservation Area, Millennium Green and The Grange. He also felt that they density was too high, that there would be problems with the approach roads to the site which were narrow and restricted; and that a potential risk of flooding existed. Councillor Mrs J Pemberton asked about the views of the Head of Environmental Health and Trading Standards and was advised that comments were awaited. Councillors R Mills, PJ Watts and WJ Walling supported the local ward member and felt that the scale and setting of the proposals would be detrimental and would have an adverse effect on the local distinctiveness of the area. Four storeys was thought by them to be too high and out of keeping with other buildings.

The Central Team Leader said that the officers viewed the site as slightly separate from the adjoining residential area and that it fitted in with the scale and the size of Pinsley Mill and other buildings nearby. The density complied with the provisions of the Herefordshire Unitary Development Plan, as did the issues of amenity, car parking access and open space. There would be a noise barrier on the northern side of the footpath to reduce the impact of the adjacent railway line. The public footpath had been integrated into the scheme to give security but at the same time provide an open aspect. Councillor RV Stockton pointed out that there had been considerable negotiations leading to the current proposals which he felt to be acceptable in respect of all the comments that had been raised.

Having considered all the different aspects of the application and comments made, the Committee decided that it should be approved.

RESOLVED

That planning permission be granted subject to the following conditions:

1. A02 (Time limit for submission of reserved matters (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. A03 (Time limit for commencement (outline permission))

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

3. A04 (Approval of reserved matters)

Reason: To enable the local planning authority to exercise proper control over these aspects of the development and to secure compliance with policy DR1 of the Herefordshire Unitary Development Plan.

4 . A05 (Plans and particulars of reserved matters)

Reason: Required to be imposed by Section 92 of the Town and Country

Planning Act 1990.

5. B07 (Section 106 Agreement)

Reason: In order to provide [enhanced sustainable transport infrastructure, educational facilities, improved play space, public art, waste recycling and affordable housing] in accordance with Policy DR5 of the Herefordshire Unitary Development Plan 2007.

6. C01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

7. I13 (Scheme to protect new dwellings from road noise)

Reason: To protect the residential amenities of the future occupiers of the properties and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

8. I16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

9. I44 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

10. I51 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

11. H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan.

12. H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

13. H29 (Secure covered cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

14 I20 – Scheme of surface water drainage

Reason: In order to minimise flood risk to third parties.

15. L01 (Foul/surface water drainage)

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

16. L02 (No surface water to connect to public system)

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

17. L03 (No drainage run-off to public system)

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

18. Notwithstanding the plans hereby approved, the details of the fence between the site and the public footpath shall be submitted to and agreed in writing by the local planning authority, prior to the commencement of development. The development shall be carried out in accordance with the approved details and the works completed, before any of the apartments hereby approved are first occupied.

Reason: To ensure that the public right of way is protected in accordance with Policy T6 of the Herefordshire Unitary Development Plan.

Informatives:

- 1. N15 - Reason(s) for the Grant of Planning Permission**
 - 2. N19 - Avoidance of doubt - Approved Plans**
 - 3. HN01 - Mud on highway**
 - 4. HN04 - Private apparatus within highway**
 - 5. HN05 - Works within the highway**
 - 6. HN10 - No drainage to discharge to highway**
 - 7. HN28 - Highways Design Guide and Specification**
- 50. DCNC2008/1934/CD - PROPOSED REDEVELOPMENT OF THE MINSTER COLLEGE. MINSTER COLLEGE, SOUTH STREET, LEOMINSTER, HEREFORDSHIRE, HR6 8JJ**

The Central Team Leader said that a response had been received from the Commission for Architecture and the Built Environment (CABE). It raised concern about the vehicle domination of the South Street frontage, which weakened the ability to provide a positive and welcoming presence. With regard to the design,

issues were raised about the geometry of the building and the resultant outdoor spaces and the design and use of the internal space. A letter of objection had been received from the occupier of 67B South Street regarding the public rights of way which would be blocked; encroachment on the property, the boundary treatment (2.4m fence or wall) and security risk to the property from the compound for out of hours' deliveries. He said that clarification would be sought from the agent of the applicant in respect of the concerns that had been raised by the neighbour.

In accordance with criteria for public speaking, Mrs Pegg said that she did not object to the overall scheme but did object to the loss of the old grammar school building which was, she felt, a vital part of the Leominster street scene and merited conservation.

Councillor ACR Chappell agreed with the views of the objector and felt that the grammar school building should be kept for community use and integrated into the school village scheme in future.

The Central Team Leader explained the details of the proposals and said that unfortunately the best way of gaining access and parking for cars and coaches would be to lose the existing grammar school building. He said that there were no other satisfactory ways in which this problem could be overcome without causing problems in other more constrained streets near to the site. Councillor PJ Edwards welcomed the proposals and hoped that the scheme would be an innovative design with energy conservation measures which would be similar to those at the Whitecross school in Hereford. Councillor WJ Walling had reservations about such a large new complex on a constrained site and felt that an alternative site should have been chosen. The Central Team Leader said that the application had to be judged on its merits.

The Committee noted with regret that it would not be possible to retain the old grammar school building but felt that the application should be approved. Councillor GFM Dawe abstained from the voting on the application.

RESOLVED

That planning permission be granted subject to the following conditions:

1 A01 (Time limit for commencement (full permission))

Reason: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 B03 (Amended plans)

Reason: The development hereby approved shall be carried out strictly in accordance with the amended plans received by the local planning authority on 27th August 2008.

Reason: To ensure the development is carried out in accordance with the amended plans and to comply with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

3 C01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

4 G10 (Landscaping scheme)

Reason: No development shall commence on site until a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

Soft landscaping

- a) A plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, species and canopy spread, together with an indication of which are to be retained and which are to be removed.
- b) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and shrub planting and grass areas
- c) A written specification clearly describing the species, sizes, densities and planting numbers and giving details of cultivation and other operations associated with plant and grass establishment.

Hard landscaping

- a) Existing and proposed finished levels or contours
- b) The position, design and materials of all site enclosure (e.g. fences, walls)
- c) Car parking layout and other vehicular and pedestrian areas
- d) Hard surfacing materials
- e) Minor structures (e.g. play equipment, street furniture, lighting, refuse areas, signs etc.)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

5 G11 (Landscaping scheme - implementation)

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

6 H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to conform with the requirements of Policy T11 of Herefordshire Unitary Development Plan

7 H29 (Secure covered cycle parking provision)

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

8 H30 (Travel plans)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

9 H31 (Outline Travel Plan)

Reason: In order to ensure that the development is carried out in combination with a scheme aimed at promoting the use of a range of sustainable transport initiatives and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

10 I16 (Restriction of hours during construction)

Reason: To protect the amenity of local residents and to comply with Policy DR13 of Herefordshire Unitary Development Plan.

11 I18 (Scheme of foul drainage disposal)

Reason: In order to ensure that satisfactory drainage arrangements are provided and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

12 I33 (External lighting)

Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

13 I41 (Scheme of refuse storage (commercial))

Reason: In the interests of amenity and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

14 I44 (No burning of materials/substances during construction phase)

Reason: To safeguard residential amenity and prevent pollution and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

15 The development hereby committed shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall address all aspects of the proposal including the location of the site compound and gatemans compound. No construction works shall be carried out on the site unless the measures set out in the Approved Construction Management Plan are in operation.

Reason: To protect the amenity of the local residents and to comply with Policy DR13 of the Herefordshire Unitary Development Plan.

16 H27 (Parking for site operatives)

Reason: To prevent indiscriminate parking in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

17 H21 (Wheel washing)

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

INFORMATIVES:**N15 – Reason(s) for the Grant of Planning Permission****2 N13 - Control of demolition - Building Act 1984****3 N14 - Party Wall Act 1996****4 N19 - Avoidance of doubt - Approved Plans****5 HN01 - Mud on highway****6 HN04 - Private apparatus within highway****7 HN05 - Works within the highway****8 HN10 - No drainage to discharge to highway****9 HN22 - Works adjoining highway****10 HN26 - Travel Plans****11 HN27 - Annual travel Plan Reviews****12 HN28 - Highways Design Guide and Specification****51. DCSE2008/1827/CD - NEW SCHOOL HALL IN SCHOOL GROUNDS, ST JOSEPHS R.C. PRIMARY SCHOOL, THE AVENUE, ROSS-ON-WYE, HEREFORDSHIRE**

The Southern Team Leader presented the report of the head of planning and transportation.

In accordance with criteria for public speaking, Mrs Warwick and Mr Whitehead, local residents, spoke against the application and Mrs Davies, the head-teacher spoke in favour.

Councillor PGH Cutter, the Local Ward Member, said that he was in favour of the application and explained that the original school hall had been provided free of charge by St Josephs Convent but when the Convent had been sold for development purposes, it had been first rented to the school and then demolished for development and left the school without a suitable sports hall. He said that all though there were objections from local residents about the out of school usage of the facilities, he was confident that these could be overcome by further negotiations, agreement and through the appropriate planning conditions. The Southern Team Leader said that a condition would be imposed to prevent 'light spillage' out of school hours from adversely affecting local residents. The Committee was satisfied that adequate steps would be taken to minimise the impact on local residents and agreed that the application should be approved.

RESOLVED

That planning permission be granted subject to the following conditions:

1. **A01 (Time limit for commencement (full permission))**

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. **C01 (Samples of external materials)**

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan

3. **L01 (Foul/surface water drainage)**

Reason: To protect the integrity of the public sewerage system and to comply with Policy CF2 of Herefordshire Unitary Development Plan.

4. **L02 (No surface water to connect to public system)**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

5. **L03 (No drainage run-off to public system)**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment so as to comply with Policy CF2 of Herefordshire Unitary Development Plan.

6. **G10 (Landscaping scheme)**

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

7. **G11 (Landscaping scheme - implementation)**

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

8. **H29 (Secure covered cycle parking provision)**

Reason: To ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan

9. **I33 (External lighting)**

Reason: To safeguard the character and amenities of the area and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

Informative(s):

- 1. W01 - Welsh Water Connection to PSS**
- 2. N19 - Avoidance of doubt - Approved Plans**
- 3. N15 - Reason(s) for the Grant of Planning Permission**

52. DATE OF NEXT MEETING

14 November 2008

The meeting ended at 12.10 p.m.

CHAIRMAN